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3 UNITED STATES DISTRICT COURT  
4 DISTRICT OF NEVADA

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6 UNITED STATES OF AMERICA,

7 Plaintiff,

Case No. 2:17-CR-0223-KJD-PAL

ORDER

8 v.

9 HOWARD WILLIAMS,

10 Defendant.

11 Presently before the Court is the United States' Notice of Non-opposition to Probation  
12 Officer's Recommendation (#25). Defendant's probation officer has recommended termination  
13 of supervised release and the Government does not oppose termination.

14 A district court enjoys "broad discretion" when, after it takes into account the statutorily  
15 required factors, it discharges a defendant's supervised release. United States v. Jeanes, 150  
16 F.3d 483, 484 (5th Cir. 1998). The defendant, however, bears the burden of demonstrating that  
17 early termination of his supervised release is justified. See United States v. Weber, 451 F.3d 552,  
18 559 n. 9 (9th Cir. 2006).

19 Title 18 U.S.C. § 3583(e) states:(e) Modification of conditions or revocation. The court  
20 may, after considering the factors set forth in section 3553(a)(1), (a)(2)(B), (a)(2)(C), (a)(2)(D),  
21 (a)(4), (a)(5), (a)(6), and (a)(7):

22 (1) terminate a term of supervised release and discharge the  
23 defendant released at any time after the expiration of one year of  
24 supervised release, pursuant to the provisions of the Federal Rules  
25 of Criminal Procedure relating to the modification of probation, if it  
is satisfied that such action is warranted by the conduct of the  
defendant released and the interests of justice[.]

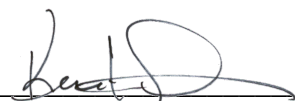
26 The Court has considered the following factors under 18 U.S.C. §§ 3553(a): (1) the  
27 nature and circumstances of the offense and the history and characteristics of the defendant; (2)  
28 deterrence; (3) protection of the public; (4) the need to provide the defendant with educational,

1 vocational training, medical care or other rehabilitation; (5) the sentence and sentencing range  
2 established for the category of defendant; (6) any pertinent policy statement by the Sentencing  
3 Commission; (7) the need to avoid unwarranted sentence disparities among defendants with  
4 similar records who have been found guilty of similar conduct; and (8) the need to provide  
5 restitution to any victims of the offense. See 18 U.S.C. §§ 3553(a)(1), (a)(2)(B), (a)(2)(C),  
6 (a)(2)(D), (a)(4), (a)(5), (a)(6), and (a)(7).

7 Defendant was originally sentenced to one (1) day of custody. He commenced a thirty-six  
8 (36) month term of supervised release on March 14, 2018. Defendant has received extensive  
9 treatment for the substance abuse problem which led to his underlying conviction. He has shown  
10 that he can maintain his sobriety. He has had no negative interactions with law enforcement  
11 while on supervised release. Defendant has maintained a stable residence. Furthermore,  
12 Defendant currently suffers from a serious illness which requires constant treatment. Therefore,  
13 having considered the statutory and advisory factors promulgated by the Judicial Conference, the  
14 Court finds the termination of supervision is warranted by conduct of Defendant and the interests  
15 of justice.

16 Accordingly, IT IS HEREBY ORDERED that Defendant's term of supervised release is  
17 **TERMINATED effective March 15, 2019.**

18 Dated this 14th day of March, 2019.

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21 Kent J. Dawson  
22 United States District Judge  
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